

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WESLEY KRESEN,)	
)	
Plaintiff,)	
)	
vs.)	No. 08 C 1467
)	
COOK COUNTY,)	Hon. Judge Schenkier
COOK COUNTY SHERIFF)	
THOMAS DART,)	
JOHN DOE SHERIFF DEPUTY,)	
)	
Defendants.)	

REPORT OF CONFERENCE OF PARTIES

1. Name of Parties/Representation

The attorneys of record are as follows: Richard Dvorak (lead attorney), Neil Toppel, Brian Barrido, and Matthew Robison, of DVORAK, TOPPEL & BARRIDO, for the Plaintiff, Wesley Kresen; Cook County Assistant State's Attorney Jack Verges for Defendants Cook County and Thomas Dart.

2. Due Date of Report

June 25, 2008

3. Conference and Names of Attorneys

Pursuant to F.R.C.P. 26(f), a conference was held on June 20, 2008. Participants to the conference were Richard Dvorak for the Plaintiff and Jack Verges for the Defendants.

4. Description of Claims

(a) Plaintiff claims excessive force, battery, and indemnification.

(b) Defendant filed an answer denying the allegations, and asserting three affirmative defenses (1) qualified immunity; (2) Plaintiff's injuries were caused by his own actions; and (3) failure to exhaust administrative remedies.

5. Prospect of Settlement

The parties are not in a position to discuss settlement options, and would not be able to do so until the completion of the pending internal affairs investigation.

6. Pre-Discovery Disclosures

Both parties have exchanged Initial 26(a)(1) Fact Disclosures.

7. Discovery Plan

(a) Discovery will be needed regarding liability on excessive force claim, potentially on issues regarding the taking of inmates to court, and damages.

(b) All non-expert fact discovery to be completed by December 19, 2008.

(c) It is too early to determine whether more than 10 depositions will be needed.

(d) Reports from retained experts under Rule 26(a)(2) due:

from Plaintiff by January 2, 2009

from Defendants by February 20, 2009

(e) All retained expert depositions to be completed by March 20, 2009

8. Pre-trial/Trial Plan

(a) Final Pre-Trial Order should be done by April 20, 2009

(b) The case should be ready for trial by May 4, 2009.

9. Magistrate Judge Consent

All parties have consented to the magistrate.

10. Other Matters

The Plaintiff has a pending Agreed Motion to File a Second Amended Complaint.

s/ Richard Dvorak

6/20/08

Richard Dvorak, for Plaintiff
Wesley Kresen.

Date

s/ Jack Verges

6/20/08

Jack Verges, for
Defendants Cook County and Thomas Dart

Date